ADMINISTRATIVE REGULATION		REGULATION NUMBER	PAGE NUMBER
COLORADO DEPARTMENT OF CORRECTIONS		1450-13	1 OF 5
		CHAPTER: Personnel	
		SUBJECT: DOC Employee or Labor Organizations	
RELATED STANDARDS: ACA Standards 2-CO-1C-03 and 4-4048		EFFECTIVE DATE: July 1, 2009	
		SUPERSESSION: 07/01/08	
OPR: OHR	REVIEW MONTH: April		s W. Zavaras ive Director

I. POLICY

It is the policy of the Department of Corrections (DOC) to maintain a neutral posture in regard to all DOC employee or labor organization activities. [2-CO-1C-03] [4-4048]

II. PURPOSE

It is the purpose of this administrative regulation (AR) to provide guidelines to be followed in contacts and relationships between the DOC and DOC employee or labor organizations. [2-CO-1C-03] [4-4048]

The Department of Corrections (DOC) recognizes and supports the positive benefits of partnerships between employees and employee organizations. It is the intent of this policy to provide meaningful opportunities and reasonable access while maintaining the safety of the public, DOC employees, contract workers, volunteers, offenders, and visitors and while ensuring the safe and secure operations of DOC facilities, community/parole offices, and administration.

This policy does not apply to the relationship between a supervisor and an individual DOC employee where the DOC employee is seeking permission to confer with his/her employee organization representative during working hours.

III. DEFINITIONS

- A. <u>Administrative Supervisor</u>: The DOC employee assigned to a position over one or more others whose responsibility is to do performance planning, reviewing, and evaluating; also known as the rater.
- B. <u>Conflict of Interest</u>: Any situation wherein an individual DOC employee's outside personal or professional activities is incompatible or contrary to the proper discharge of the responsibilities of the office or position with the DOC.
- C. <u>DOC Employee</u>: Someone who occupies a classified, full or part-time, position in the State Personnel System in which the Department has affect over pay, tenure, and status.
- D. <u>DOC Employee or Labor Organizations</u>: Organizations or associations permitted by DOC to:
 - 1. Assist DOC employees in dealing with grievances or disciplinary matters.
 - 2. Promote and assist in maintaining DOC employee welfare.

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E. <u>DOC Employee Representative</u>: A representative of a DOC employee's choice. Anyone selected by a DOC employee as a representative.

IV. PROCEDURES

A. Participation in DOC Employee or Labor Organization Activities

- 1. Information concerning DOC employee or labor organizations may be left at predetermined locations within DOC facilities, centers, or offices. This information may then only be displayed on bulletin boards which have been designated to display DOC employee or labor organization literature.
- 2. DOC employee or labor organization logos, stickers, buttons, etc., will not be permitted on DOC buildings, property, equipment, vehicles, or DOC employee uniforms.
- 3. Attendance at DOC employee or labor organization functions is to occur on a DOC employee's own time or previously approved annual leave. Administrative leave for attendance at meetings shall be granted to DOC employees who are duly elected members of a DOC employee or labor organization, at the state or national level, not to exceed two days, per year, with adequate notice.
- 4. A DOC employee who represents DOC employee organizations, when meeting with the executive director, at the executive director's request, shall be authorized administrative leave.
- 5. Resources of the DOC shall not be used in any way to subsidize DOC employee or labor organizations or activities.
- 6. Subject to the limitations of this policy, DOC employees are free to meet with employee organization representatives and to participate in employee organization activities during non-work hours. Employee organization representatives, DOC employees, contract workers, and volunteers may not distribute leaflets or place leaflets on cars in DOC parking lots (to include leased property).
- 7. Once each month, meeting space shall be made available for group meetings between labor organizations and DOC employees. This space will be made available in the administration area, so that it does not interfere with daily operations. In the event of a scheduling conflict, state business shall always have priority.
 - a. Prior approval from the facility/office appointing authority, or designee, must be obtained from the facility/office appointing authority, or designee, 14 days prior to the scheduled date.
 - b. Representatives of an employee organization shall comply with AR 300-27, *Facility Access and Control*, which requires criminal background checks and consent to search forms to be completed on an annual basis.
 - c. Access to daily meetings, rolls calls, parking lots, and areas behind master control will not be permitted.
 - d. Representatives of employee organizations shall comply with DOC dress codes established by AR 1450-31, *Appearance and Uniform Dress Code*.
 - e. If the worksite is on modified operations, access will be denied and a date and time shall be promptly rescheduled once the worksite has returned to normal operations.
- 8. Employee organizations, their representatives, and their members shall be treated with respect and in the same manner as similarly recognized organizations and members within the DOC. Employee organizations, their representatives, and their members shall conduct themselves in a professional and respectful manner.

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DOC employees or employee organizations may submit complaints or suggestions regarding implementation of this access protocol, in writing, to the Department's director of Public Relations/public information officer, via email or letter. Such complaints or suggestions will be forwarded to the appropriate appointing authority for consideration. The Department will promptly investigate all complaints and take appropriate action.

- 9. E-mails to DOC employees containing information about their organizations, events, meetings, and state employee related news sent through their work email accounts shall be subject to the following restrictions:
 - a. Volume (broadcast) e-mails, defined as e-mails of broad general interest to multiple state employees not concerning a specific employment matter between a DOC employee and his/her representative or other specific topic related to a small group of individuals, must be delivered between 10:00 p.m. and 6:00 a.m.
 - b. Volume e-mail content must be informative and factual in nature. Political endorsements or opposition, and e-mails commenting on managers, administration officials, or other employee organizations will not be sent through the state e-mail system.
 - c. To ensure the security of the state e-mail system, e-mails may not contain attachments.
 - d. A state employee organization may only send one volume e-mail per month.
 - e. DOC employees may opt out of an employee organization's e-mail list at any time and the employee organization must respect those requests and remove the e-mail address within five working days. All e-mails must contain a statement notifying state employees that they can choose not to receive future e-mails from the sender organization, along with directions for how state employees can opt out.
 - f. Failure to comply with these e-mail procedures may result in electronically blocking all future broadcast e-mail of the non-compliant organization as an improper interference with public business.
- 10. Colorado open records' laws allow citizens and organizations to obtain state e-mail and phone lists. Frequent unanticipated requests for this information can be disruptive. The Department will endeavor to provide on a monthly basis a list of its DOC employee names and state e-mail addresses to employee organizations that request such an e-mail list. Use of such lists shall be subject to the provisions of this policy. The State does not warrant the accuracy of e-mail or phone lists.

B. Job Site DOC Employee or Labor Organization Contact

- 1. Conducting DOC employee or labor organization business at a DOC employee's work station or during the DOC employee's working time is not permitted, except as set forth herein.
- 2. The use of actual work time by a DOC employee representative may only be permitted to attend formal grievances or disciplinary meetings, and to confer with DOC employees.
 - a. DOC employees are expected to perform their assigned duties during work periods. Any changes to these assigned duties must have prior approval from the appropriate appointing authority.
 - b. The DOC employee's representative may confer, with prior consent from the supervisor, on employment matters during work hours. Such conferences should be scheduled not to exceed one hour, as to minimize disruption to productivity and the general work environment. A supervisor's consent shall not be unreasonably withheld and should include where the conferring takes place, when it may take place, and for how long.

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- c. No DOC employee outside the Office of Human Resources is authorized by the executive director to interpret Personnel Rules, procedures, standards, or Human Resources' administrative regulations on behalf of the DOC.
- 3. Once each calendar month for no more than three shifts, adequate space in a reception/administration area, which does not interfere with daily operations of the work site, shall be made available to employee organizations to set up and man an informational table for the purpose of talking to and distributing literature to DOC employees. Employee organization representatives will conduct themselves in a professional manner and shall respect the request of any individual who does not wish to engage in a discussion or accept literature.
 - a. Prior approval from the facility/office appointing authority, or designee, must be obtained from the facility/office appointing authority, or designee, 14 days prior to the scheduled date.
 - b. Representatives of the employee organizations shall comply with administrative regulation 300-27, *Facility Access and Control*, which requires criminal background checks and consent to search forms to be completed on an annual basis.
 - c. Access to daily meetings, rolls calls, parking lots, and areas behind master control will not be permitted.
 - d. Representatives of employee organizations shall comply with DOC dress codes established by administrative regulation 1450-31, *Appearance and Uniform Dress Code*.
 - e. If the worksite is on modified operations, access will be denied and a date and time shall be promptly rescheduled once the worksite has returned to normal operations.

C. Management and DOC Employee or Labor Organization Involvement

- Administrative supervisors need to remain fully cognizant of the potential conflicts of interest which may arise in carrying out their administrative responsibilities, should their membership in a DOC employee or labor organization be retained.
- 2. Interaction between DOC employees and representatives is encouraged to enhance workplace harmony and resolution of issues in accordance with this administrative regulation.

V. RESPONSIBILITY

- A. All administrative supervisors are responsible to assure communication lines and processes are open for all DOC employees, at all times, to facilitate resolution of problems and issues at the lowest level possible, and to provide access to DOC employee or labor organization representation, as provided by this regulation.
- B. It is the responsibility of all directors and administrative heads to promulgate local procedures to implement this AR.

VI. AUTHORITY

Colorado State Personnel Rules.

VII. HISTORY

July 1, 2007

July 1, 2006

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July 1, 2005 March 15, 2005 March 15, 2004 March 15, 2003 March 15, 2002

ATTACHMENTS: A. AR Form 100-01A, Administrative Regulation Implementation/Adjustments

ADMINISTRATIVE REGULATION IMPLEMENTATION/ADJUSTMENTS

AR Form 100-01A (04/15/08)

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[] AS WRITTEN	[] NOT APPLICABLE	[] WITH THE FOLLOWING PROCEDO OF THE AR	URES TO ACCOMPLISH THE INTENT
(SIGNED)			(DATE)
	Administrative Head		